

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BHYS SALES Inc., et al.,

Plaintiffs,

-against-

P&R Packaging, et al.,

Defendants.  
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**VICTOR MARRERO, U.S.D.J.:**

On March 11, 2021, Defendants filed a letter with the Court requesting dismissal of this action for lack of prosecution or in the alternative sanctions for alleged delay on the part of Plaintiffs. (See Dkt. No. 56.) On May 4, 2021, the Court directed Plaintiffs to respond to the contentions raised in Defendants' letter. (See Dkt. No. 57.) On May 6, 2021, Plaintiff submitted its response via fax to Chambers. (See May 6 Letter.)

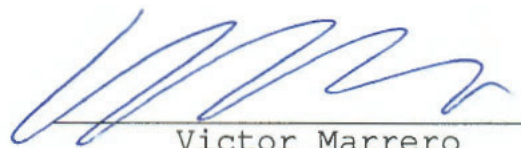
After reviewing the parties' submissions, the Court is not yet persuaded that dismissal for lack of prosecution is an appropriate sanction. The Court will remind Plaintiffs of their obligation to meet discovery deadlines or risk dismissal of this action. To the extent Defendants have raised additional issues and argument with respect to Plaintiffs' dilatory discovery conduct thus far, the Court will refer these issues to the assigned magistrate judge for resolution, including any sanctions that may be appropriate.

**SO ORDERED:**

Dated: New York, New York  
16 June 2021

**USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/16/2021**

**19 Civ. 11397 (VM)  
ORDER**

  
Victor Marrero  
U.S.D.J.